

### REMARKS

Claims 26-29, 32-37, 39-45, 47-54, 57-62, 64-70, 73-76, 78, 79, 81-91, 93-99 and 103-107 are pending in this application, with claims 26, 34, 42, 51, 59, 67, 76 and 81-89 being independent. By this amendment, claims 26, 29, 34, 37, 42, 45, 51, 54, 59, 62, 67, 70, 76, 81, 82 and 86 have been amended, and claims 30, 38, 46, 55, 63 and 71 have been canceled.

In particular, independent claims 26, 34, 42, 51, 59, 67, 76, 82 and 86 have been amended to recite that the gettering layer comprises phosphorous silicate glass (as was previously recited in, for example, claim 29), and to eliminate the requirements that formation of the gettering layer is over "an entire surface of" the semiconductor film" and "by a CVD technique." Claim 26 has been further amended to eliminate the requirement that gettering involves heating the gettering layer "at a temperature from 500°C to 800°C," and claim 81 also has been amended to eliminate this requirement. Claims 29, 37, 45, 54, 62, 70 have been amended in view of the amendments to the independent claims. No new matter has been introduced.

Applicant acknowledges with appreciation the Examiner's allowance of claims 81, 83-85, 87-89, 104, 105 and 107, and the Examiner's indication that claims 29, 37, 45, 54, 62 and 70 are directed to allowable subject matter. The temperature limitation removed from claim 81 is not believed to impact the allowability of that claim.

Applicant notes that the Examiner has withdrawn the double patenting rejection of claims 26, 34, 42, 51, 59, 67, 76, 82 and 86, and their dependent claims, over claims 1-26 of U.S. Patent No. 6,544,826 (Yamazaki '826), in view of applicant's prior amendment of those claims to recite "using a CVD technique." Applicant respectfully submits that, though "using a CVD technique" has been removed from these claims, the new amendment to recite that the gettering layer comprises phosphorous silicate glass also serves to distinguish the claims of Yamazaki '826, none of which describes or suggests using phosphorous silicate glass.

With respect to the objection to claim 103, applicant respectfully submits that this objection has been addressed by the removal of "using a CVD technique" from the independent claims from which claim 103 depends.

Applicant : Yamazaki, et al.  
Serial No. : 08/907,182  
Filed : August 6, 1997  
Page : 18 of 18

Attorney's Docket No.: 07977-  
023002 / US2971/2974/2979D1

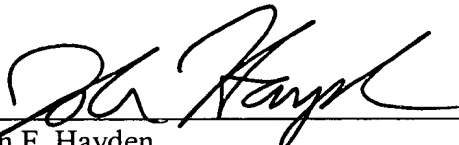
Claims 26-28, 30, 32-36, 38-44, 46-53, 55, 57-61, 63-69, 71, 73-76, 78, 79, 82, 86, 90, 91, 93-99, 103 and 107 have been rejected for obviousness-type double-patenting over claims 1-73 of U.S. Patent No. 6,808,968 (Yamazaki '968). Applicant requests reconsideration and withdrawal of this rejection because the claims of Yamazaki '968 do not describe or suggest using phosphorous silicate glass, as recited in amended independent claims 26, 34, 42, 51, 59, 67, 76, 82 and 86. Indeed, the Examiner appears to acknowledge this when, in indicating why claims 29, 37, 45, 54, 62 and 70 are allowable, the Examiner states that the claims of Yamazaki '968 do not suggest a PSG layer.

Applicant submits that all claims are in condition for allowance.

No fees are believed due. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 2/15/05

  
\_\_\_\_\_  
John F. Hayden  
Reg. No. 37,640

Customer No. 26171  
Fish & Richardson P.C.  
1425 K Street, N.W., 11th Floor  
Washington, DC 20005-3500  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331